

Notice of Allowability	Application No.	Applicant(s)	
	09/831,935	ATSMON, ALON	
	Examiner	Art Unit	
	Samson B. Lemma	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2nd RCE filed on 01/24/2007.
2. ☒ The allowed claim(s) is/are 1-5, 7-20 and 22-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>01/07 & 07/04</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>held on 02/28/2007</u>. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|---|

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DETAILED ACTION

1. The request filed January 24, 2007 for a request for continued examination (RCE) under 37 CFR 1.114 based on patent application 09/831,935 is acceptable and an RCE has been established.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview **with Yaakov Schatz (Registration No. 44,320)** on 02/28/2007.

As the result of Examiner's amendment,

- Dependent claim 6 is canceled.
- Independent claims 1 and 9 are amended. Like wise, dependent claim 7 is amended to correct dependency.

Dependent claim 6 is canceled and incorporated into independent claim 1, consequently independent claim 1 is amended. Furthermore, independent claim 9 is amended so that it would overcome the ground of rejection set forth in the previous office action.

The application has been amended as follows: In the claims

1. (Currently amended) A method of communicating with an electronic device, comprising:
 - providing a computer having a sound sub-system;
 - providing a personal communicator which utilizes a communication network;

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initiating a connection by said computer, over said communication network, to said personal communicator;

transmitting an distinct acoustic wave from the personal communicator to the computer, in response to the connection initiation;

receiving the acoustic wave via the sound sub-system; and

identifying said personal communicator, by the computer, responsive to the received acoustic wave.

6. (Canceled)

7. (Previously Presented) A method according to claim 16, wherein the connection initiation indicates a distinctive audio response that the personal communicator is to transmit.

9. (Currently amended) A method of authentication, comprising:

providing a computer having a sound receiving and generating sub-system including a microphone;

providing a personal communicator which utilizes a communication network;

opening a connection, over said communication network, between said computer and said personal communicator; and

transmitting authentication signals over a closed loop between the computer and the personal communicator including an audio transmission section in a first direction between the sound receiving and generating sub-system of the computer and the personal communicator and a section over the communication network in an opposite direction,

wherein the authentication signals include a distinct signal.

Allowable Subject Matter

2. **Claim 21** was previously canceled.

As the result of Examiner's amendment,

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- Dependent claim 6 is canceled.
- Independent claims 1 and 9 are amended. Like wise, dependent claim 7 is amended to correct dependency.

Thus **claims 6 and 21** are canceled and **claims 1-5 and 7-20 and 22-24**

remain in the application.

3. **Claims 1-5 and 7-20 and 22-24** are allowed.

4. The following is an examiner's statement of reasons for allowance:

5. Referring to **the independent claims 1 and 9** the art on the record, the combination of the references, namely **Morris and Derks** discloses most of the limitation of the claims before the claims were amended as shown below.

For instance, referring to the pervious independent claim 1, Vano

6. **As per claim 1, Morris discloses a method of communicating with an electronic device, comprising:**

providing a computer having an sound receiving and generating sub-system including a microphone; (column 1, lines 18-26; column 2, lines 42-47)

providing a personal communicator which utilizes a communication network; (column 1, lines 54-57; column 1, lines 48-50; column 2, lines 55-58) *(the personal communicator is interpreted by the office as the computer or any device that receives or sends the acoustic information from the sending or receiving computer and finally communicate the information to the destination or the intended user using the speaker or microphone)*

initiating a connection by said computer, over said communications network, to said personal communicator ; (column 2, lines 47-51; column 2, lines 39-41; column 1, lines 14-26; column 5, lines 35-44) and

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identifying said personal communicator responsive to an audio response of said personal communicator ; (column 6, lines 31-33; column 6, 34-51). *(Identifying the source address of the generated acoustic signals at the receiving end meets the recitation of this claim).*

Morris does not explicitly disclose transmitting an audio responses from the personal communicator to the sound receiving and generating sub-system, in response to the connection initiation;

However, in the same field of endeavor, **Derks** discloses that the **personal communicator** [column 2, line 51] (response unit is met personal communicator includes a microphone and the user input device) **transmitting an audio response from the personal communicator/response unit to the sound receiving and generating sub-system**, [column 2, lines 56-57] (the host system is met to be the sound receiving and generating sub-system) **in response to the connection initiation**. [column 2, lines 51-60; column 1, lines 30-34] *(When the instructor from the host system/computer having a both the microphone and speaker that can receive or generate sound wishes to accept a call from a particular individual, the host system initiates/ sends a talk instructions to the response unit/personal communicator, in response to the talk instruction, the host computer through the base unit establishes an audio connection between the microphone of the response unit/personal communicator and the host system and the host unit/personal communicator transmits the audio response).*

- However, the combination of **Morris and Derks**, does not explicitly disclose the limitation recited in the canceled dependent claim 6, which is incorporated to the respective independent claims 1. In particular, the following underlined functional limitation has not been explicitly disclosed by the combinations of the references on the record, " transmitting an distinct acoustic

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wave from the personal communicator to the computer, in response to the connection initiation;
receiving the acoustic wave via the sound sub-system; and
identifying said personal communicator, by the computer, responsive to the received acoustic wave.”

The combination of **Morris and Derks**, does not explicitly disclose the above functional limitation together with the other limitation recited in independent claim 1. The claim language now indicates the fact that based on **a distinct acoustic wave generated by the personal communicator**, the computer which is receiving the acoustic wave via the sound sub-system could **identify/authenticate the personal communicator**. Such limitation is also recited in the amended independent claim 9.

- None of the prior art of record taken singularly or in combination teaches or suggests such a method including all the limitation recited in the respective amended independent claims 1 and 9.

For the reasons provided above, the amended independent claims **1 and 9** are found to be novel and are allowed.

7. **The dependent claims 2-5, 7-8, 10-20, 22-24 which are dependent on the respective independent claims 1 and 9** being further limiting to the independent claims, definite and enabled by the specification are also allowed. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am --4: 30 pm).

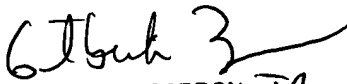
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.

02/28/2007


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